

IREC Policy on Displaying Disciplinary Actions on Commission Website

The Idaho Real Estate Commission has adopted this Policy to provide for the displaying of disciplinary actions and related Final Orders on the Commission website (www.irec.idaho.gov). This policy is effective **October 1, 2008** and applies to all disciplinary Final Orders issued on or after that date.

Disciplinary Actions and Final Orders to be Displayed. The Commission will display all disciplinary actions and Final Orders issued pursuant to the filing of Administrative Complaint, including Final Orders agreed to that are filed pursuant to a written Stipulation that serves as the combined Stipulation/Complaint. However, the Commission will not display the disciplinary actions or Final Orders issued in cases that pertain only to violations of the continuing education or insurance requirements for licensing, or any Final Order that dismisses an administrative complaint. Such records may be obtained upon written request for public records (see below).

Display of Disciplinary Actions and Final Orders. The existence of a disciplinary action and the related Final Order will be accessed through the Licensee Search. A search result for a licensee will display information indicating any violation(s) for which the licensee was disciplined by a Final Order, along with a link to a PDF version of the related Final Order.

Associated Records Not Displayed. Only the Final Order will be displayed on the website; any related public records of proceedings pertaining to the issuance of the Final Order will not be displayed but may be obtained from the Commission via written request for public records (see below).

Other Disciplinary Records Not Displayed. Although disciplinary in nature, the Commission will not display records of violations or fines imposed where no Administrative Complaint is filed. This includes: (1) violations cited during routine office audits/inspections; (2) fines resulting from late license renewal, failure to maintain E&O insurance, or continuing education (CE) violations; and (3) informal letters of warning or informal reprimands issued by the Staff. Public records of these actions may be obtained from the Commission via written request for public records (see below).

Time of Display. Disciplinary actions and Final Orders will be displayed after the fourteen (14) day period for filing for reconsideration has expired, as provided in Section 67-5246(4), Idaho Code. Unless amended, dismissed, or otherwise ordered by the Commission, the disciplinary action and Final Order shall remain displayed on the website for a period of five (5) years.

Publication in *RealEstatement* Not Impacted. This website display policy does not replace, reduce or otherwise change the Commission's ability to continue its current practice of publishing all License Law violations in the *RealEstatement* newsletter.

Obtaining Other Records - Public Records Requests. Copies of any public record kept by the Commission may be obtained by submitting a written public records request to the Designated Records Custodian for the Commission. Obtain a [Request for Public Records](#) form from the website, or contact the Commission office to have one sent to you. The written request may be submitted by mail, fax, e-mail or in person.

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Not all records kept by the Commission are available to the public. Some types of records are “exempt” from the disclosure requirements of the [Public Records Act](#). The Commission’s [Public Records Request Policy](#) is also available on the Commission’s website.